

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO. 5:19-CV-427**

**NOKIA TECHNOLOGIES OY,
Plaintiff,**

v.

**LENOVO (SHANGHAI) ELECTRONICS
TECHNOLOGY CO. LTD., LENOVO GROUP,
LTD., LENOVO BEIJING, LTD., LENOVO PC
HK LIMITED, AND LENOVO (UNITED
STATES), INC.,**

Defendants.

**LENOVO (BEIJING) LIMITED'S AGREED-TO MOTION
TO SET A DEADLINE TO RESPOND TO THE ORIGINAL COMPLAINT**

Pursuant to Local Rule 6.1(a) and Rule 6(b) of the Federal Rules of Civil Procedure, Defendant Lenovo (Beijing) Limited ("Lenovo Beijing") respectfully moves the Court to set a deadline of September 11, 2020 for Lenovo Beijing to respond to Nokia Technologies Oy's ("Nokia") Original Complaint. Nokia has agreed to the relief requested herein. Lenovo Beijing appears for the sole purpose of contesting process, service of process, and personal jurisdiction.

In support of the Motion, Lenovo Beijing states as follows:

1. On September 25, 2019, Nokia filed its Original Complaint in this action.
2. On July 10, 2020, Nokia filed its First Amended Complaint.
3. Lenovo Beijing was served with a copy of the Summons and the Original Complaint on July 31, 2020.
4. Lenovo Beijing has not been served with the First Amended Complaint.

5. Lenovo Beijing objects to both process and service of process because the Original Complaint has been superseded and is inoperative. Lenovo Beijing further contests personal jurisdiction in this matter. Lenovo Beijing accordingly intends to move to dismiss pursuant to Federal Rule of Civil Procedure 12(b).

6. If process and service of process were proper (they were not), Federal Rule of Civil Procedure 12(a)(1)(A)(i) would require Lenovo Beijing to answer or otherwise respond to Nokia's complaint on or before August 21, 2020.

7. Out of an abundance of caution, Lenovo Beijing files this motion to set a date certain by which to file its motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b).

8. Lenovo Beijing has good cause for this motion. Lenovo Beijing is a Chinese company based in Beijing whose employees are unfamiliar with the United States legal system and its requirements. Additional time is needed to compile the information and declaration in support of Lenovo Beijing's forthcoming motion to dismiss.

9. Undersigned counsel conferred with counsel for Nokia, who agreed to the relief that this motion requests.

10. This is Lenovo Beijing's first request for this Court to set a deadline for it to respond to the Original Complaint from Nokia.

11. Pursuant to Local Rule 7.1(d), Lenovo Beijing respectfully requests that this motion be treated as a supporting brief.

WHEREFORE, Lenovo Beijing respectfully requests that this Court grant its motion and set a deadline of September 11, 2020 for Lenovo Beijing to move to dismiss Nokia's Original Complaint

Respectfully submitted this the 18th day of August, 2020.

DATED: August 18, 2020

Respectfully submitted,

/s/ Jacob S. Wharton

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Counsel for Lenovo (Beijing) Limited

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2020, a true and correct copy of the above and foregoing LENOVO (BEIJING) LIMITED'S AGREED-TO MOTION TO SET A DEADLINE TO RESPOND TO THE ORIGINAL COMPLAINT was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification to the attorneys of record for all parties.

/s/ Jacob S. Wharton

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